

MC103P

## U.S. APPLICATION NO. (If known, see 37 CFR 1.5)

**10/586573**

PRIORITY DATE CLAIMED  
January 27, 2004

NITRIC OXIDE RELEASING PRODRUGS OF DIARYL-2-(5H)-FURANONES AS CYCLOOXYGENASE-2 INHIBITORS

CARL BERTHELETTE, LIANHAI LI, CHRISTIAN BEAULIEU, ZHAOYIN WANG AND CLAUDIO F. STURINO

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☐ This is an express request to begin national examination procedures [35 U.S.C. 371(f)]. The submission must include items (5), (6), (9) and (21) indicated below.
4. ☒ The US has been elected (PCT Article 31).
5. ☒ A copy of the International Application as filed [35 U.S.C. 371(c)(2)]
  - a. ☐ is attached hereto (required only if not communicated by the International Bureau).
  - b. ☒ has been communicated by the International Bureau.
  - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ An English language translation of the International Application as filed [35 U.S.C. 371(c)(2)].
  - a. ☐ is attached hereto
  - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
7. ☒ Amendments to the claims of the International Application under PCT Article 19 [35 U.S.C. 371(c)(3)].
  - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
  - b. ☐ have been communicated by the International Bureau.
  - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
  - d. ☒ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 [35 U.S.C. 371(c)(3)].
9. ☒ An oath or declaration of the inventor(s) [35 U.S.C. 371(c)(4)].
10. ☐ An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 [35 U.S.C. 371(c)(5)].

**Items 11 to 20 below concern other document(s) or information included:**

11. ☒ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☒ A preliminary amendment.
14. ☐ An Application Data Sheet under 37 CFR 1.76.
15. ☐ A substitute specification.
16. ☐ A power of attorney and/or change of address letter.
17. ☐ A computer-readable form of the sequence listing in accordance with 37 CFR 1.82.
18. ☐ A second copy of the published International Application under 35 U.S.C. 371(c)(1).
19. ☐ A second copy of the English language translation of the international application.
20. ☐ Other items or information:

EXPRESS MAIL CERTIFICATE  
DATE OF DEPOSIT July 18, 2006  
EXPRESS MAIL NO. 9 4 6 5 8 0 9 3 9 5 0 5  
35 U.S.C. § 3604(a)  
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FOR PATENT INQUIRY, P.O. BOX 108  
MAILED BY Patricia Williams  
DATE 7/18/06

IP6 Rec'd PCT/PTO 18 JUL 2006

|   |              |   |  |                                    |              |
|---|--------------|---|--|------------------------------------|--------------|
| U.S. APPLICATION NO. (If known, see 37 CFR 1.5)<br><div style="font-size: 1.5em; font-family: cursive;">20/586573</div>   |              | INTERNATIONAL APPLICATION NO.<br>PCT/CA2005/000084                            |  | ATTORNEY'S DOCKET NUMBER<br>MC103P |              |
| The following fees are submitted:   |              |   |  | CALCULATIONS                       | PTO USE ONLY |
| 21. <input checked="" type="checkbox"/> Basic national fee.....   |              |   |  | \$300                              | \$300.00     |
| 22. <input checked="" type="checkbox"/> Examination fee (37 CFR 1.492(c))<br>If the written opinion prepared by ISA/US or the international preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4).....<br>All other situations.....   |              |   |  | \$0<br>\$200                       | \$200.00     |
| 23. <input checked="" type="checkbox"/> Search fee (37 CFR 1.492(b))<br>If the written opinion of the ISA/US or the international preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4).....<br>Search fee [37 CFR 1.445(a)(2)] has been paid on the international application to the USPTO as an International Searching Authority.....<br>International Search Report prepared by an ISA other than the US and provided to the Office or previously communicated to the US by the IB .....<br>All other situations..... |              |   |  | \$0<br>\$100<br>\$400<br>\$500     | \$400.00     |
| <b>TOTAL OF 21, 22 and 23=</b>  |              |   |  | <b>\$900.00</b>                    |              |
| <input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.  |              |   |  |                                    |              |
| Total Sheets  | Extra Sheets | Number of each additional 50 or fraction thereof (round up to a whole number) | RATE   |                                    |              |
| 37 - 100 =  | 0 /50        | 0 = 0   | X \$250.00   | \$0.00                             |              |
| Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date [37 CFR 1.492(e)].  |              |   |  |                                    |              |
| CLAIMS  | NUMBER FILED | NUMBER EXTRA  | RATE   |                                    |              |
| Total Claims  | 19 - 20 =    | 0   | X \$50.00  | \$0.00                             |              |
| Independent Claims  | 1 - 3 =      | 0   | X \$200.00   | \$0.00                             |              |
| MULTIPLE DEPENDENT CLAIM(S) (if applicable)   |              |   | + \$360.00   |                                    |              |
| <b>TOTAL OF ABOVE CALCULATIONS (SUBTOTAL)</b>   |              |   |  | <b>\$900.00</b>                    |              |
| Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(f)).   |              |   |  | +                                  |              |
| <b>TOTAL NATIONAL FEE</b>   |              |   |  | <b>\$900.00</b>                    |              |
| Fee for recording the enclosed assignment [37 CFR 1.21(h)]. The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property.   |              |   |  | +                                  |              |
| <b>TOTAL FEES ENCLOSED</b>  |              |   |  | <b>\$900.00</b>                    |              |
|   |              |   |  | Amount to be refunded:             |              |
|   |              |   |  | Amount to be charged:              |              |
| a. <input type="checkbox"/> A check in the amount of \$ _____ to cover the above fees is enclosed.<br>b. <input checked="" type="checkbox"/> Please charge my Deposit Account No. <u>13-2755</u> in the amount of <u>\$900.00</u> to cover the above fees.<br>A duplicate copy of this sheet is enclosed.<br>c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to the Deposit Account No. <u>13-2755</u> . A duplicate copy of this sheet is enclosed.                        |              |   |  |                                    |              |
| <b>NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive [37 CFR 1.137(a) or (b)] must be filed and granted to restore the International Application to pending status.</b>  |              |   |  |                                    |              |
| SEND ALL CORRESPONDENCE TO:<br><div style="border: 1px solid black; padding: 2px; display: inline-block;">Customer No. 000210</div>   |              |   |  |                                    |              |
| MERCK & CO., INC.<br>Patent Department, RY60-30<br>P.O. Box 2000<br>126 East Lincoln Avenue<br>Rahway, New Jersey 07065-0970  |              |   | <div style="font-size: 1.2em; font-family: cursive;">Raynard Yuro</div><br>SIGNATURE |                                    |              |
| DATE: <u>July 18, 2006</u><br>PHONE #: <u>(732) 594-0182</u>  |              |   | Raynard Yuro<br>NAME<br><u>45.570</u><br>REGISTRATION NUMBER                         |                                    |              |

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Page 1A of TRANSMITTAL LETTER TO THE UNITED STATES  
DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING  
A FILING UNDER 35 U.S.C. 371

Attorney Docket No.: MC103P  
International Appln No.: PCT/CA2005/000084  
International Filing Date: January 25, 2005  
Priority Date: January 27, 2004  
Title: NITRIC OXIDE RELEASING PRODRUGS OF  
DIARYL-2-(5H)-FURANONES AS  
CYCLOOXYGENASE-2 INHIBITORS

Inventors: CARL BERTHELETTE  
LIANHAI LI  
CHRISTIAN BEAULIEU  
ZHAOYIN WANG  
CLAUDIO F. STURINO

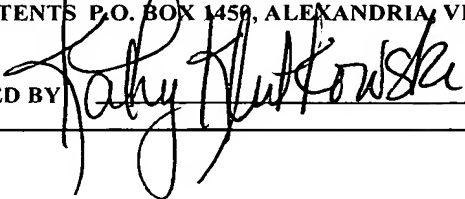
EXPRESS MAIL CERTIFICATE

DATE OF DEPOSIT July 18, 2006

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I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING  
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DATE July 18, 2006